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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|------------------------|---------------------|------------------|
| 10/690,605 | 10/23/2003 | Sundaresan Ramamoorthy | 200207938-1 | 6770 |
| 22879 7590 04/02/2009 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400 | | | | |
| EXAMINER HOANG, DANIEL L | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2436 | | | | |
| NOTIFICATION DATE | | DELIVERY MODE | | |
| 04/02/2009 | | ELECTRONIC | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/690,605

Applicant(s)

RAMAMOORTHY ET AL.

Examiner

DANIEL L. HOANG

Art Unit

2436

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

In view of applicant's arguments regarding the previous actions 112 rejections, said rejections have been withdrawn.

Applicant's arguments filed 12/29/08 have been fully considered but they are not persuasive.

Applicant argues that each of Whipple's translators is associated with a different native format and that a different native format is not a different request. Applicant further argues that Whipple does not disclose that each translator corresponds to a different network device and a different device-agnostic policy implementation. Nor does Whipple disclose that subsequent additions or maintenance of any of the network devices and any of the device-agnostic policy implementations are provided using device-agnostic files.

Examiner respectfully disagrees. Applicant's invention, as far as examiner can understand, relates to a technique for which vendor-specific tools can be translated to a single vendor-agnostic configuration. For example, when a vendor specific tool which uses a vendor specific format of XSL wishes to communicate with a vendor using an XML format, a translator is built and loaded in order to handle to communication (see paragraph 20 of the instant application). From this, it is clear that the request claimed by applicant is for translation of a different format into one of a device-agnostic format. In contrast to applicant's arguments, Whipple does indeed teach that each translator corresponds to a different network device. See paragraph 16, wherein Whipple teaches Hub system 12 includes one or more API adapters suitable for translating one or more API formats used by clients to a format appropriate for the hub API, each such format preferably having a corresponding API adapter. It is clear from this that each subsequent addition of any network devices are provided using the addition of another document created by an API adapter through translation of the additional API call.

In view of the above remarks, the 102 rejections of the previous action are maintained.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Whipple et al., US PGP No. 20040193912, hereinafter Whipple.

As per claims 1, 10, and 18, Whipple teaches:

A system for implementing a policy in a network, said system comprising:

a plurality of device-agnostic policy implementation, in which the device-agnostic policy implementations include non-security policy implementations;

[see paragraph 5, request from client]

[see paragraphs 17 and 20 for examples of the requests that may be made]

Examiner views said requests as device-agnostic policy implementations.

a plurality of network devices, at least two of said devices being dissimilar; and

[see paragraph 5, wherein the clients, server, and request broker are all viewed as network devices]

a plurality of device translators, each device translator corresponding to a respective one of said plurality of network devices and one of said plurality of device-agnostic policy implementations, at least two of said device translators being dissimilar, each of said plurality of device translators translating said device-agnostic policy implementation into corresponding device-specific implementations,

[see paragraph 5, wherein the collection of translators translate from native formats into an internal format]

wherein subsequent additions or maintenance of any of said plurality of network devices and any of said plurality of device-agnostic policy implementations are provided using device-agnostic files.

[see paragraph 16, wherein Whipple teaches Hub system 12 includes one or more API adapters suitable for translating one or more API formats used by clients to a format appropriate for the hub API, each such format preferably having a corresponding API adapter. It is clear from this that each subsequent addition of any network devices are provided using the addition of another document created by an API adapter through translation of the additional API call.]

As per claims 2 and 13, Whipple teaches:

The system according to claim 1, wherein said device-agnostic policy implementation is selected from the group consisting of firewall, Virtual Private Network, Java 2 Enterprise Edition Application, and custom operating system.

[see paragraph 6]

As per claims 3 and 14, Whipple teaches:

The system according to claim 1, wherein said device-agnostic policy implementation implements a policy selected from the group consisting of access control, quality of service, backup, and availability.

[see paragraphs 17, 20, and 28]

As per claims 4 and 12, Whipple teaches:

The system according to claim 1, wherein said device translators are represented by Extensible Stylesheet Language (XSL) code.

[see paragraphs 18 and 23]

As per claims 5 and 11, Whipple teaches:

The system according to claim 1, wherein said device-agnostic policy implementation is Extensible Markup Language (XML) code.

[see paragraphs 18 and 23]

As per claims 6, Whipple teaches:

The system according to claim 3, wherein said policy is represented by Extensible Markup Language (XML) code.

[see paragraphs 18 and 23]

As per claims 7 and 15, Whipple teaches:

The system according to claim 1, wherein the device-specific implementation is represented by Command Line Interface (CLI) code.

[see paragraph 23, "native format"]

As per claims 8 and 16, Whipple teaches:

The system according to claim 1, wherein the device-specific implementation is represented by Application Programming Interface (API) code.

[see paragraph 16]

As per claims 9 and 17, Whipple teaches:

The system according to claim 1, wherein the device-specific implementation is represented by Java code.

[see paragraph 18]

CONCLUSION

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

POINTS OF CONTACT

- *. Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

- *. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Hoang whose telephone number is 571-270-1019. The examiner can normally be reached on Monday - Thursday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC)
at 866-217-9197 (toll-free).

/Daniel L. Hoang/

Examiner, Art Unit 2436

/Nasser G Moazzami/

Supervisory Patent Examiner, Art Unit 2436